

**UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
SURPRISE FIELD OFFICE**

**CATEGORICAL EXCLUSION REVIEW AND APPROVAL**

**Project Name:** South Larkspur Allotment Livestock Grazing Authorization

**NEPA Number:** DOI-BLM-CA-N070-2009-0005-CX

**Project Description:** The Bureau of Land Management (BLM) is proposing to re-issue the existing livestock grazing permit on the South Larkspur Allotment for a 10 year period.

**South Larkspur Allotment Terms and Conditions**

**Permitted Use Summary**

Allotment	Operator	Active AUMs	Suspended AUMs	Total Permitted Use
South Larkspur	Bordwell Family Trust	1040	0	1040

**Livestock Numbers and Season of Use**

Operator	Auth. Number	No. of livestock	Kind	Season of use	Public AUMs	% Public Land
Bordwell Family Trust	0402605	95	C	4/05 - 4/15	29	83
		202	C	4/16 - 10/15	1009	
TOTAL				4/5 - 10/15	1038	83

This permit will be subject to the following terms and conditions:

1. Grazing use offered or authorized by BLM is subject to all provisions of the grazing regulations (43 CFR Parts 4100) and other applicable law and regulation. Grazing use authorization may be modified in accordance with regulation to attain progress towards achieving rangeland health standards (subpart 4180.1 and 4180.2 Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration). Any changes to the permit would occur after consultation, cooperation and coordination with the grazing permittee and other interested parties).
2. Grazing use on the South Larkspur Allotment will be in accordance with this Proposed/Final Grazing Decision and other provisions of the South Larkspur Allotment

Management Plan. Any livestock use found outside the limits of flexibility of the AMP, without prior authorization, will be subject to unauthorized use actions.

3. Billing will be based on your actual use reports which are to be submitted within 15 days of your last authorized take off date for each allotment. If actual use reports are not submitted within 30 days, the permittee will be billed and liable for their full active preference. Repeated delays in submitting actual use reports and/or paying grazing billings will revoke actual use billing privileges.

4. Salt and/or mineral supplements will be placed no closer than ¼ mile from any public water source.

5. All range improvements must be maintained to BLM standards prior to livestock turnout. All assigned fence maintenance must be completed annually, even if your permit is not activated. Failure to complete assigned fence maintenance may result in suspension of your grazing authorization.

6. The livestock operators are responsible for moving livestock in a timely manner before allowable use levels are exceeded.

**Project Location:** The South Larkspur Allotment is located at T45N, R17E in northeastern California and northwestern Nevada. The allotment consists of 17,315 acres of public land and 1,590 acres of private land.

The public was notified of the project in January 2008, and a scoping letter was sent to 66 interested publics of record on January 17, 2008. Western Watersheds Project and Nevada Department of Wildlife contributed comments that were carefully considered.

**Project Purpose and Need:**

The purpose of the action is to authorize livestock grazing use on the South Larkspur Allotment. All grazing would be in accordance with 43 CFR 4100 and consistent with the provisions of the Taylor Grazing Act, Public Rangelands Improvement Act, and Federal Land Policy and Management Act. In addition, the action will ensure that all authorizations implement provisions of, and are in conformance with the National Environmental Policy Act (NEPA), the Surprise Field Office Resource Management Plan (RMP) and Record of Decision of April 2008, and the Northeastern California and Northwestern Nevada, Standards for Rangeland Health and Guidelines for Livestock Grazing Management 2000.

Washington Office policy, through Instruction Memorandum No.2003-071, calls for all grazing permits to be fully processed by the end of FY 2009, including evaluations of grazing and appropriate NEPA documentation. In accordance with that policy, the Surprise Field Office proposes to issue a fully processed livestock grazing permit to Bordwell Family Trust for the South Larkspur Allotment in 2009.



A copy of the land health standards determination for the South Larkspur Allotment can be found at the Surprise Field Office, and is posted on the Surprise Field Office web page at [http://www.blm.gov/ca/st/en/fo/surprise/grazing\\_permit\\_renewals.html](http://www.blm.gov/ca/st/en/fo/surprise/grazing_permit_renewals.html). The determination concludes that all of the applicable land health standards are being met or, if standards are not being met, it is due to factors not attributable to existing livestock grazing.

The grazing permit or authorization (including crossing or trailing permits) will include the type and level of use authorized, including the kind and number of livestock, the period of use, and the amount of active and suspended use in animal unit months (AUMs), and terms and conditions for grazing use.

Attachment 1 provides this information including terms and conditions common to all the permits to be issued, as well as terms and conditions specific to the South Larkspur Allotment. The Surprise Field Office is not proposing any changes to the existing grazing permit for the South Larkspur Allotment.

The term permit and any future crossing/trailing permits would be implemented through Proposed and Final Grazing Decisions, with provisions for protest, appeal, and petition for stay, in accordance with 43 CFR 4100, and would be sent to the permittee(s) and interested publics of record.

### **Plan Conformance**

The proposed action is in conformance with the Proposed Surprise Field Office Resource Management Plan and final environmental impact statement issued in May 2007 as adopted by the Record of Decision approved in April 2008.

The Surprise Field Office RMP applicable goals and objectives of livestock grazing, as noted on page 2-34 and 2-35 include the following: 1) Sustainable, ecologically sound, and economically viable livestock grazing opportunities would be provided, where suitable, in the Surprise Field Office management area, 2) Adequate forage would be produced to support sustainable levels of livestock grazing where compatible with objectives for other resources and resource users, 3) Continue to modify and adjust grazing management within individual grazing allotments to ensure that a vigorous plant community is sustained in combination with livestock grazing.

The proposed action is in conformance with the Northeastern California and Northwestern Nevada, Standards for Rangeland Health and Guidelines for Livestock Grazing Management (2000).

The action described above meets the specific criteria for the use of a Categorical Exclusion, as referenced in 516 DM 11.9(D) 11. This reference states the following as a Categorical Exclusion (CX):

*Livestock grazing permits/leases where:*

- a. *The new grazing permit/lease is consistent with the use specified on the previous permit/lease, such that*
  1. *the same kind of livestock is grazed*
  2. *the active use previously authorized is not exceeded, and*
  3. *grazing does not occur more than 14 days earlier or later than as specified on the previous permit/lease, and*
- b. *The grazing allotment(s) has been assessed and evaluated and the Responsible Official has documented in a determination that the allotment(s) is*
  1. *meeting land health standards, or*
  2. *not meeting land health standards due to factors that do not include existing livestock grazing.*

**Project Name: South Larkspur Allotment Livestock Grazing Authorization**

**NEPA Number: DOI-BLM-CA-N070-2009-0005-CX**

**Screening for Extraordinary Circumstances:** The following exceptions (extraordinary circumstances) apply to individual actions within the CX, as listed in 516 DM 2, Appendix 2. The action has been reviewed to determine if any of the below listed exceptions to categorical exclusion documentation apply.

<i>Exceptions</i>	<b>Yes</b>	<b>No</b>	<b>Specialist Initials</b>
1. Have significant impacts on public health or safety.		X	SM
<b>Rationale:</b> The allotment has no significant impacts on public health or safety near public areas. There are no known circumstances in which public health or safety would be impacted or jeopardized.			
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		X	PB/AU



<p><b>Rationale:</b> The South Larkspur Allotment has no prime farmlands and no drinking water aquifer is associated with the allotment. No floodplains have been identified by FEMA on this allotment. There are no known unique natural resources or geographic characteristics contained within the South Larkspur Allotment. Approximately two-thirds of the South Larkspur allotment lies within the North Hays Range Cultural Resource Management Area. A total of 1,196 acres have been inventoried on this allotment for cultural resources. As a result, three archaeological sites were recorded. At this time there are no known effects occurring to cultural resources from cattle on the South Larkspur Allotment. This allotment is scheduled for a Cultural Resource Assessment in 2009 as per the Supplemental Procedures for Livestock Grazing Permit/Lease Renewals, A Cultural Resources Amendment to the State Protocol Agreement Between the California BLM and the California State Historic Preservation Officer. Because the permit renewal will not include any changes in terms and conditions, no significant impacts to any cultural resources are expected. The allotment does not affect any designated wilderness, wilderness study areas or wild and scenic river segments.</p>			
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		X	SM
<p><b>Rationale:</b> Continuing grazing as it has been on the allotment will not have any highly controversial environmental effects. There are no known conflicting interests on the allotment.</p>			
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X	SM
<p><b>Rationale:</b> Grazing the allotment in the same manner as previously permitted will have no uncertain or potentially significant environmental effects.</p>			
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		X	SM
<p><b>Rationale:</b> The proposed grazing authorization is based on review of site specific monitoring information and guidance from the applicable Resource Management Plan. Decisions regarding livestock use on this allotment are not related to site specific decisions regarding uses in other allotments; therefore, there is no possibility for the proposed action to be considered as a precedent or to influence future actions in other areas.</p>			
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X	SM
<p><b>Rationale:</b> No new grazing related actions are proposed for this allotment. There are no other actions occurring in this local geographic area making the risk of cumulative effects negligible.</p>			

7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.		X	PB
<b>Rationale:</b> See Item 2, above.			
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X	EFJ
<b>Rationale:</b> No listed species or their habitats are known to exist within the allotment. <i>Distichlis</i> sp. communities (habitat for the Carson wandering skipper) exist in the South Larkspur Allotment; however, based on current literature, a field review of occupied Carson wandering skipper habitats outside the field office boundaries, and observations of habitat made in the allotment during 2008, it has been determined that the allotment does not likely have suitable habitat for this species.			
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X	PB
<b>Rationale:</b> This project would not violate any State, local, tribal or federal laws.			
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898, 'Environmental Justice').		X	SM
<b>Rationale:</b> This project would not negatively effect low income or minority populations.			
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		X	PB
<b>Rationale:</b> Access to public lands in the area would not be limited. Native American consultation has taken place for this permit renewal. There were no concerns expressed by the tribes regarding the permit renewal.			
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		X	SM



**Rationale:** There are no known, large-scale infestations of any noxious weeds on the allotment. Non-native species such as cheatgrass and Japanese brome exist in some communities, but have not become a dominant part of the plant community. Native species are successfully competing with cheatgrass and Japanese brome. Grazing the allotment in the same manner as previously permitted will not contribute to the spread of the non-native species.

**Land Use Plan conformance and Categorical Exclusion review confirmation:**

Lead Preparer: Steve Mathews Date: 3/17/2009

NEPA/ Environmental Coordinator: Wanda Parrott Date: 3/17/09

Based on a review of the project description described above and field office staff recommendations, I have determined that the project is in conformance with the resource management plan and is categorically excluded from further analysis.

**D. Signature**

Shane DeForest

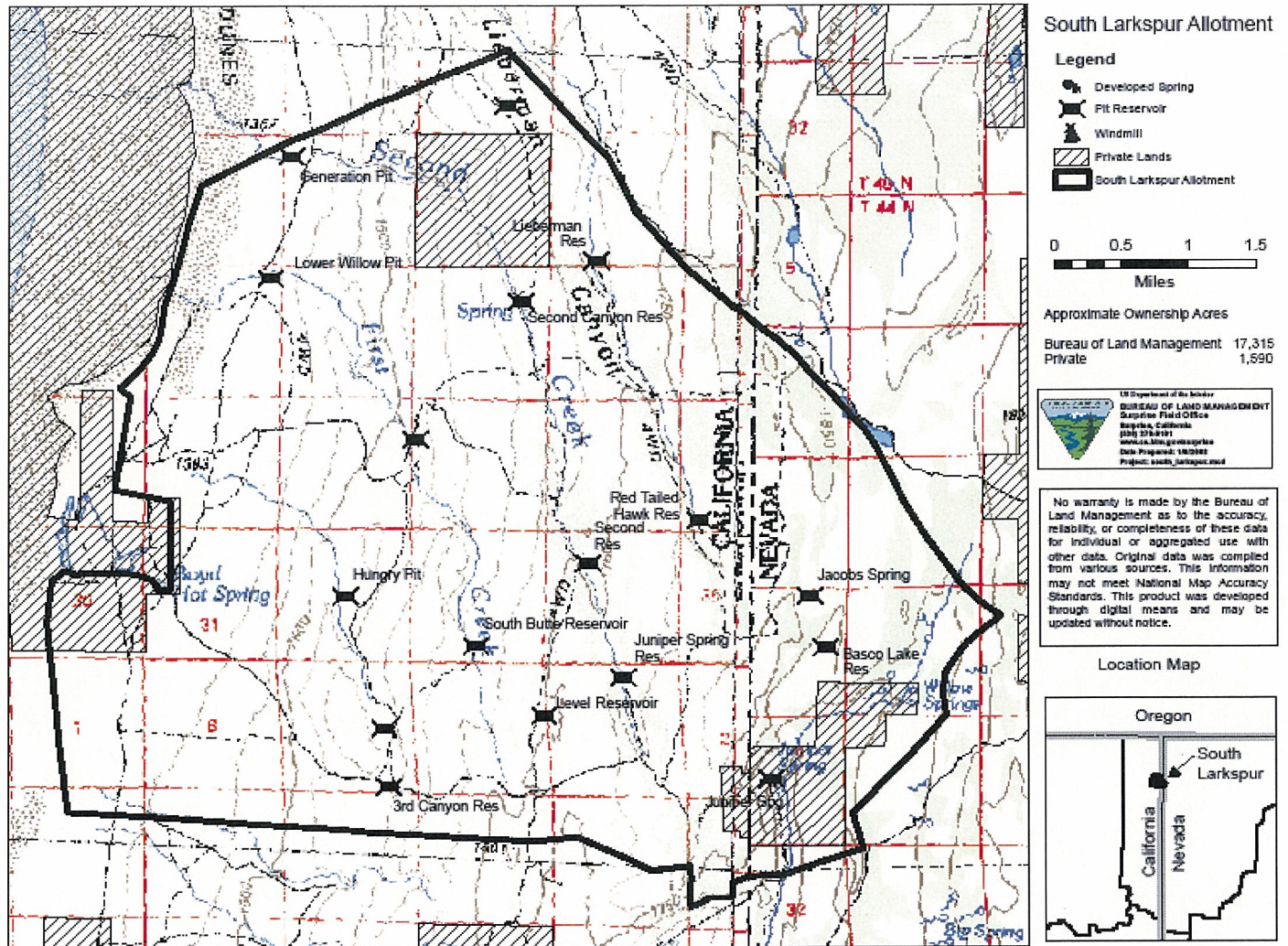
Date: 3-17-09

Shane DeForest  
Surprise Field Manager

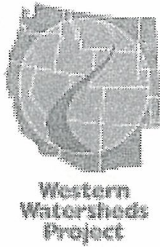
**E. Contact**

For more information, contact:  
Steve Mathews  
Rangeland Management Specialist  
Phone: (530) 279-6101  
Email: smathews@ca.blm.gov

# Attachment 1 South Larkspur Allotment Map







Michael J. Connor, Ph.D.  
California Science Director  
P.O. Box 2364, Reseda, CA 91337-2364  
Tel: (818) 345-0425  
Email: [mjconnor@westernwatersheds.org](mailto:mjconnor@westernwatersheds.org)  
Web site: [www.westernwatersheds.org](http://www.westernwatersheds.org)

*Working to protect and restore Western Watersheds*

February 15, 2008

Shane DeForest  
Field Manager  
Bureau of Land Management  
Surprise Field Office  
P.O. Box 460  
Cedarville, CA 96104

RE: Surprise Field Office, BLM, Initial Scoping for Multiple Planning Efforts to Fully Process Livestock Grazing Permits, Scoping Document dated January 17, 2008 (21 Allotments)

Dear Manager DeForest:

Western Watersheds Project thanks you for the opportunity to provide scoping comments for the Field Office's renewal process for the following allotments:

Alkali Lake Allotment (NV)	Long Valley Allotment (NV)
Bally Mountain Allotment (NV)	Lower Lake Allotment (CA & NV)
Bicondoa Allotment (CA & NV)	Massacre Lakes Allotment (NV)
Buck Mountain (CA)	Massacre Mountain Allotment (NV)
Calcutta Allotment (NV)	McCulley Allotment (CA)
Crooks Lake Allotment (CA & NV)	Nevada Cowhead Allotment (NV)
Denio Allotment (NV)	North Larkspur Allotment (CA)
Goose Creek (CA)	Nut Mountain Allotment (NV)
Granger Allotment (CA)	South Larkspur Allotment (CA & NV)
Horse Lake Allotment (NV)	Tuledad Allotment (CA & NV)
Little Basin Allotment (NV)	

The 21 listed allotments cover over 1,014 square miles of public land. These public lands are governed by a number of separate land use plans, and each allotment contains unique characteristics. Each allotment will require individual environmental analysis so that the grazing permits can be fully processed and the NEPA requirement for site-specific analysis as expounded in the Combs Wash decision can be satisfied.

#### General Comments Applicable to all 21 Allotments

We note that these allotments reportedly cover about 649,198 acres (1,014 square miles) of public land from which the extraction of 45,769 AUM (i.e. 36,615,200 lbs or 16,608 metric tons

dry weight of forage) is currently authorized.<sup>1</sup> This estimate of the public lands acreage is about 21 square miles smaller than acreage calculated using data in the BLM's Rangeland Standards & Guidelines Database. We appreciate that this may reflect mapping or GIS issues. **However, the two sets of numbers must be reconciled by the Field Office so that the NEPA analysis is based on the appropriate data.**

The governing land use plans for these 21 allotments currently include four separate plans, three of which are 25-30 years old and will presumably be superseded during these NEPA reviews by the Surprise Resource Management Plan that was released in 2007 but for which a ROD has not yet been signed. These plans are: the 1979 Tulead-Home Camp Management Framework Plan; the 1981 Cowhead-Massacre Management Framework Plan; the 1984 Alturas RMP; and the 2004 Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area RMP.

These allotments cover about 1,014 square miles of public land from which the extraction of 16,608 metric tons dry weight of forage is currently authorized. Continued livestock grazing on these allotments will impact a number of listed, proposed and sensitive species, will impact sensitive cultural resources, and will have impacts on designated ACEC, Wilderness Areas and Wilderness Study Areas, and a National Conservation Area. Given the scale and scope of some of these projects we expect that that preparation of full EIS for each allotment is merited in most cases.

The NEPA regulations specify that an environmental impact review must analyze a full range of alternatives. Based on the information and analysis presented in the sections on the Affected Environment (40 C.F.R. § 1502.15) and the Environmental Consequences (40 C.F.R. § 1502.16), NEPA documents should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decisionmaker and the public. The regulations specify that agencies shall:

- (a) Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated.
- (b) Devote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits.
- (c) Include reasonable alternatives not within the jurisdiction of the lead agency.
- (d) Include the alternative of no action.
- (e) Identify the agency's preferred alternative or alternatives, if one or more exists, in the draft statement and identify such alternative in the final statement unless another law prohibits the expression of such a preference.
- (f) Include appropriate mitigation measures not already included in the proposed action or alternatives.

A reasonable full range of alternatives reviewed for each allotment would include current management, a no grazing alternative, a reduced stocking-rate alternative, and an alternative that

---

<sup>1</sup> Based on data in the summary table, these allotments cover 649,198 acres (1,014 square miles) of public land. However, data in the BLM's Rangeland Standards & Guidelines Database indicate a public land area of 662,984 acres (about 1036 square miles).



modifies allotment boundaries to close any conservation areas, cultural resources and sensitive- and listed-species habitat to livestock grazing.

Each of the alternatives considered must comply with BLM Grazing Regulations 43 C.F.R. § 4130.3-1 mandatory terms and conditions (a) and (c). This requires the Field Office to specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use, in animal unit months, for every grazing permit or lease.

Grazing Regulation § 4130.3-1 (a) also requires the Field Office to ensure that the authorized livestock grazing use does not exceed the livestock carrying capacity of the allotment. The Field Office should therefore specify in the NEPA documents what the carrying capacity is for each allotment and how this was determined.

Grazing Regulation § 4130.3-1 (c) requires full compliance with § 4180--Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration. The complete Rangeland Health Assessments and Determinations should be made available with the NEPA documents.

In the past, it was common practice to remove sagebrush in favor of seeding grasses for livestock. The Surprise Field Office converted several thousand acres of sagebrush to crested wheatgrass. [Surprise RMP at 3-112]. At least eight of the allotments have seeded areas - Calcutta, Crooks Lake, Horse Lake, Little Basin, Long Valley, Massacre Lakes, Nut Mountain and Tuledad allotments. All of these eight allotments lie within or partially within Sage-grouse Population Management Units (PMU). Five of them are among the 7 allotments identified in the scoping summary table as including pygmy rabbit habitat. The NEPA reviews should document the dates, nature, and extent of these seedings including the results of any pre-seeding and post-seeding monitoring and the cumulative impacts of seeding on sagebrush dependent species in the resource area evaluated.

Each NEPA review must consider the impacts of each proposed alternative on the following elements: ACEC; air quality; biological soil crusts; congressionally designated areas; cultural resources; floodplains; global climate (mandated by Department of the Interior Order No. 3226); invasive species; Native American concerns; riparian areas; sensitive species; soils; threatened and endangered species; Unusual Plant Assemblages; vegetation; watersheds; water quality; wilderness; and wildlife. Each project must be evaluated for impacts to all sensitive wildlife and special status plants known from the appropriate planning area.

Each of the alternatives should be illustrated with maps that show the area to be grazed or trailed by livestock in relation to each allotment's resources including habitat for listed and sensitive species, ACEC, other designated conservation areas, and Wilderness boundaries. Vegetation maps that show the distribution of communities (including sagebrush and aspen stands), invasive species, especially cheatgrass and medusahead, vegetation treatments, and fires should be provided for each allotment. These maps are essential for allotments with threatened and endangered species, and Carson wandering skipper, pygmy rabbit and sage-grouse habitat and potential habitat.

Each NEPA review must describe the monitoring processes employed on the respective allotment and the results of this monitoring. Historical forage availability and utilization data should be presented in the NEPA documents since this the only data that will allow the public and the decisionmaker to assess the likely effectiveness that any proposed changes in grazing management will have on that allotment's natural resources.

The CEQ NEPA implementing guidelines define a cumulative impact as "the impact on the environment that results from the incremental impact of an action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions." [40 C.F.R. § 1508.7] The Cumulative Impacts section must review and analyze the cumulative impacts of livestock grazing, sagebrush conversion, concomitant herd management areas, global climate change, off-road recreation, mining, and energy developments and corridors on all of the allotments' natural resources.

We have also attached a copy of detailed comments on the draft Surprise Resource Management Plan and EIS that were submitted by WWP on July 27, 2006 and hereby incorporate those comments by reference. That letter includes an extensive review with references that are directly relevant to livestock grazing in the Surprise Resource Area.

Before reviewing the individual allotments we would like to present some additional information and updates on the Carson wandering skipper butterfly, pygmy rabbit, sage-grouse, and ungulates that will be useful in reviewing the impacts and cumulative impacts of livestock grazing.

**Carson Wandering Skipper, *Pseudocopa eunus obscurus***

Eleven (11) of the allotments include potential habitat for the critically endangered Carson wandering skipper butterfly amounting to 7,093 acres.

The Carson wandering skipper was listed on a temporary, emergency basis in November 2001 with a final rule listing it as an endangered species on August 7, 2002. A recovery plan was published in FWS 2006. The Carson wandering skipper currently occupies areas located in a small region east of the Sierra Nevada in northwestern Nevada and northeastern California, at elevations of less than 1,524 meters (5,000 feet). Historically, known population locations included the type locality found near the Carson Hot Springs in Carson City, Nevada (now extirpated), and one other site in Lassen County, California. Potential habitat for this species exists in the Surprise Field Office area but no surveys have been conducted.

The Recovery Plan recognizes that inappropriately managed livestock grazing is a potential threat to the Carson wandering skipper through reduction of the availability of nectar sources and *Distichlis spicata* cover, trampling, ground compaction, and increased spread of weeds (FWS 2006).

The absence of survey data is not evidence of absence of the skipper. In addition to initiating formal consultation with the FWS, the Field Office should undertake appropriate surveys of the butterfly's potential habitats prior to authorizing grazing in those areas.



### **Greater Sage-Grouse, (*Centrocercus urophasianus*)**

Seventeen of the allotments include significant sage-grouse habitat. Eight of these 17 allotments contain active sage-grouse leks (for a total of 21 leks) [Crooks Lake - 2 leks, Denio - 1 lek, Massacre Lakes - 1 lek, Massacre Mountain - 8 leks, Nevada Cowhead - 2 leks, Nut Mountain - 1 lek, South Larkspur - 1 lek, Tulead - 5 leks] and are located in Sage-grouse Population Management Units (PMU). In addition, parts or all the following nine allotments that are not recorded as having active leks are in Sage-grouse PMU: Alkali Lake, Bally Mountain, Bicondoa, Calcutta, Horse Lake, Little Basin, Long Valley, Lower Lake, and North Larkspur. Cumulatively, these allotments include 21 leks and roughly 0.5 million acres of sage-grouse habitat or PMU most of which is in Nevada.

Sage-grouse populations have been in significant decline for decades (Connelly et al., 2004). While the rate of decline has recently slowed, the sage-grouse's habitat is being subjected to accelerating threats from invasive weeds, fires, energy development, and livestock grazing. About one-half of the original area occupied by the sage-grouse no longer supports sage-grouse populations (Schroeder et al, 2004).

The well-established declines in sage-grouse range and numbers prompted several organizations (including WWP) and individuals to petition the FWS to list the species. In early 2005, the FWS issued a 12-month finding that listing was not warranted (FWS 2005a). However, on December 4, 2007, a federal Court, citing failure to use best available science and political interference with the process, found the 12-Month Finding to be arbitrary and capricious under the APA, reversed the FWS decision, and remanded the case back to the FWS for further consideration. Therefore, in its NEPA analysis the BLM must treat the sage-grouse as a species petitioned for listing under the ESA and ensure that's actions protect the sage-grouse and do not promote or lead to its listing.

Connelly et al, 2004 provide the most recent comprehensive review of the conservation and status of the sage-grouse. Their report includes an extensive review of the impacts of livestock grazing and other uses of the sagebrush habitat on which the sage-grouse depends. Connelly et al indicate the landscape impacts of livestock grazing on sage-grouse habitat thus:

“Widespread water developments throughout sagebrush habitats increased the amount of area that can be grazed. More than 1,000 km of fences have been constructed each year on public lands from 1996 to 2002; linear density of fences exceeded 2 km/km<sup>2</sup> in some regions of the sagebrush biome. Fences provide perches for raptors, and modify access and movements by humans and livestock, thus exerting a new mosaic of disturbance and use on the landscape.”

“Some land use factors that we considered, such as military training, may have very intense effects on habitats but are restricted to relatively small regions across the entire sagebrush biome. In contrast, livestock grazing influences sagebrush ecosystems across the entire biome. The cumulative impacts of the disturbances and the interactions among disturbance regime, invasive species, and land use have the most significant influence on the trajectory of sagebrush ecosystems rather than influences attributed to any single source.

Sage-grouse populations depend on relatively large expanses of sagebrush-dominated shrub steppe. However, the appropriate patch size needed for winter and breeding habitats used by greater sage-grouse is uncertain. It is likely that this patch size is not a fixed amount but depends on various factors including migration patterns and productivity of the habitat.”

Important factors of livestock operations related to impacts on sage-grouse include stocking levels, season of use, and utilization levels (FWS 2005a). The latter lists, with supporting references, impacts to sage-grouse from livestock grazing that include:

- Reduction of grass heights and cover necessary for predator avoidance in nesting and brood-rearing areas;
- Consumption of forbs by livestock that provide essential dietary components for nesting hens and limit their reproductive success;
- Livestock induced changes in the proportion of shrub, grass, and forb components, and increased invasion of exotic plant species that do not provide suitable habitat for sage-grouse due to reductions in water infiltration rates and cover of herbaceous plants and litter, as well to soil compaction and increased erosion;
- Increases in ground squirrels that depredate sage-grouse nests;
- Outright nest destruction by livestock trampling;
- Abandonment of their nests due to the presence of livestock;
- Trampling of sagebrush seedlings by livestock thereby removing a source of future sage-grouse food and cover;
- Reduction or elimination of biological soil crusts making these areas susceptible to cheatgrass invasion due to trampling of soil by livestock;
- Direct competition by livestock and sage-grouse for rangeland resources including seasonal use by livestock of forbs and browse species like sagebrush.

Most significantly for these scoping process, the FWS expert panel ranked livestock grazing as a potential extinction risk factor for the sage-grouse (FWS 2005a).

In their seminal paper on the current versus past distributions, Schroeder et al, 2004 similarly conclude that the dramatic differences between presettlement and current sage-grouse distributions are related to habitat alteration and degradation by cultivation, fragmentation, reduction of sagebrush and native herbaceous cover, development, introduction and expansion of invasive plant species, encroachment by trees, and issues related to livestock grazing.

Schroeder et al, 2004 calculated that the current range of the sage-grouse is only 55% of the range presettlement. Based on their analysis of long-term data collected in Nevada, Connelly et al, 2004 found that monitoring data indicated that lek size (number of males per lek) had decreased significantly from 1965 to 2003. They conclude that annual rates of change suggest a long-term decline for sage-grouse in Nevada.



The NEPA documents must fully review and analyze the individual and the cumulative impacts of livestock grazing on sage-grouse, sage-grouse habitat and the Vya, the Massacre, and the Buffalo-Skedaddle Population Management Units.

**Pygmy Rabbit, *Brachylagus idahoensis***

Pygmy rabbits typically occur in areas of tall, dense sagebrush cover, and are highly dependent on sagebrush to provide both food and shelter throughout the year; sagebrush comprises up to 99 percent of their winter diet and 51 percent in the spring and summer (FWS 2005b). Katzner and Parker (1997) state that the apparent dependence of pygmy rabbits on a dense understory, provided in part by dead shrubs and extensive canopies, may explain population declines in the pygmy rabbit in grazed sagebrush steppe habitat in the western United States.

In its proposed Surprise RMP, the BLM pays special attention to the pygmy rabbit “because declines have been attributed to conversion of deep-soil sagebrush habitat to agricultural and managed grasslands.” [Surprise RMP at 3-115]. Indeed, declines in pygmy rabbit population and its habitat prompted WWP and other organizations to petition the FWS to list the species under the ESA in 2003. In response to that petition, the FWS published a non-substantial 90-day finding in the Federal Register (FWS 2005b). Subsequently however, a federal court has reversed this 90-day finding. On January 8, 2008 the FWS published a new 90-day finding in which it concluded that the petition presents substantial scientific information indicating that listing the pygmy rabbit may be warranted (FWS 2008). Therefore, in its NEPA analysis the BLM must treat the pygmy rabbit as a species that may warrant listing under the ESA and must ensure that its actions protect the pygmy rabbit and its habitat and do not promote or lead to its listing.

Seven of these allotments include occupied habitat for pygmy rabbit [Calcutta Allotment (NV), Denio Allotment (NV), Horse Lake Allotment (NV), Long Valley Allotment (NV), Massacre Lakes Allotment (NV), Massacre Mountain Allotment (NV), Nut Mountain Allotment (NV)]. These habitats account for a substantial number of the 40 or so active pygmy rabbit burrows reportedly found in the entire Surprise Field Office area in 2006. [Surprise RMP at 3-115]

A useful summary, with references, of the impacts of livestock grazing and livestock grazing operations on the pygmy rabbit can be found in FWS 2005b. Impacts to pygmy rabbit include:

- Pygmy rabbit habitat destruction and alteration through: construction of fences, wells, water tanks, and pipelines which can concentrate livestock or redistribute livestock and predators; seeding of crested wheatgrass to increase livestock forage; and weed infestations.
- Livestock selective grazing on native species, trampling of plants including sagebrush seedlings; contribution to nonnative plant introductions through trampling of soil, damage to soil crusts, reduction of mycorrhizal fungi, increases in soil nitrogen, and increases in fire frequency.
- Trampling of burrows may cause the death of young rabbits in natal burrows or injury or mortality of adults.
- Overgrazing by livestock may lead to: loss of native perennial grasses when sagebrush-grass vegetation is overgrazed; shrubs, such as big sagebrush, forming dense monotypic

stands with a sparse understory of unpalatable perennials where invasions of annual species like cheatgrass can occur; break down of individual sagebrush plants to open up interstitial spaces, allowing invasion of annual grasses and forbs.

- New and dispersed water developments may provide a more uniform livestock distribution over the landscape but distribute livestock into sagebrush habitat that would otherwise not be used. The associated facilities (tanks, pipelines, roads) may also allow predators, OHV/ORV users, and hunters to access new terrain.
- Physical damage to sagebrush by rubbing, battering, breaking, and trampling seedlings. Lands grazed intensively by domestic herbivores often have relatively low plant structural complexity. A reduction in canopy cover increases the vulnerability of pygmy rabbits to predation.
- Physical destruction of dense, structurally-diverse patches of sagebrush, and the corridors that connect them, resulting in fragmented, unsuitable big sagebrush habitat for pygmy rabbits.
- Areas of tall, dense sagebrush inhabited by pygmy rabbits are typically located along streams. Livestock can impact these areas disproportionately by concentrating in riparian areas where trampling and vegetation removal can occur.

The NEPA documents must fully review and analyze the individual and the cumulative impacts of livestock grazing on pygmy rabbit and the sagebrush habitat they are dependent upon in the resource area.

### **Bighorn Sheep**

Thirteen of the allotments include habitat for Bighorn sheep [Alkali Lake Allotment (NV), Bicondoa Allotment (CA & NV), Calcutta Allotment (NV), Crooks Lake Allotment (CA & NV), Denio Allotment (NV), Horse Lake Allotment (NV), Little Basin Allotment (NV), Lower Lake Allotment (CA & NV), Massacre Lakes Allotment (NV), Massacre Mountain Allotment (NV), Nevada Cowhead Allotment (NV), Nut Mountain Allotment (NV), and Tuledad Allotment (CA & NV)].

California bighorn sheep are state-listed threatened. All of the populations of California bighorn sheep on lands administered by the Surprise Field Office have been reintroduced since the late 1980s. In Nevada, the bighorn sheep is classed as a game animal.

The NEPA documents should disclose the potential for impacts to bighorn sheep from domestic livestock grazing on the relevant allotments. The documents should specifically contain an analysis of forage competition, displacement, and the potential for disease transmission.

Although the summary table provided with the Surprise Field Office's scoping letter does not indicate which livestock type are stocked on which allotment, domestic sheep are grazed on at least one of them - Tuledad Allotment. The BLM Surprise Field Office is familiar with the serious risk posed to bighorn sheep by allowing domestic sheep to graze in or trail through their habitat. All of the reintroduced California bighorn sheep in the Warner Mountains to the west and adjacent to the Surprise Field Office died from disease in the late 1980s, apparently due to contact with domestic sheep. [Surprise RMP at 3-117]. The RMP also notes that the Nevada bighorn sheep populations are on the increase "although limited to some degree by water



availability and interaction with domestic sheep”. [Surprise RMP at 3-117]. Accordingly, the Field Office should fully incorporate the Western Association of Fish and Wildlife Agencies (WAFWA) recent “Recommendations for Domestic Sheep and Goat Management In Wild Sheep Habitat” into its proposed management (WAFWA 2007). WAFWA recommends land management agencies (including the BLM) responsible for domestic sheep and goat grazing allotments, trailing routes, vegetation management (e.g., weed control, enhancement of conifer regeneration), use as pack stock, or any other uses involving domestic sheep and goats should only authorize such use where mechanisms are in place to achieve effective separation with wild sheep.

### **Mule Deer, Pronghorn, and Elk**

All of the allotments provide summer or winter or year round habitat for Mule Deer. Twelve of the allotments provide summer or winter or year round habitat for Pronghorn Antelope. Three of the allotments are listed in the summary table as known to be used by Elk. The NEPA documents should review the status of each of these species on each allotment to ensure that adequate forage is allocated for their needs and that their habitat requirements are met.

#### Comments on the specific allotments:

##### Alkali Lake Allotment #1017 (NV)

Alkali Lake Allotment totals 443 acres (169 public acres), provides 11 AUM and is contiguous with Long Valley Allotment to the south. The two allotments are shown on the same map. The legend on this map gives a combined acreage breakdown of 54,355 public, 15,560 private and 4,465 lakes. According to the recent draft RMP, a rangeland health determination has been made for this allotment. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has been completed.

The NEPA documents must fully evaluate impacts to water quality and riparian habitats and provide full mitigation for any impacts.

Part of Alkali Lake Allotment is within the sage-grouse Vya Population Management Unit (PMU).

##### Bally Mountain Allotment #1101 (NV)

Bally Mountain Allotment totals 5,330 acres with 1,475 public acres that provide 198 AUM. According to the recent draft RMP, a rangeland health determination has been made for this allotment. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has been completed.

The entire allotment is within the sage-grouse Vya Population Management Unit (PMU).

The western boundary of Bally Mountain Allotment is contiguous with Nevada Cowhead Allotment. Both allotments are used by Elk.

#### Bicondoa Allotment #907 (CA & NV)

Bicondoa Allotment totals 10,722 acres with 10,020 public acres that provide 368 AUM. According to the recent draft RMP, a rangeland health determination has been made for this allotment and the allotment did not fully meet standards. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has been completed.

Bicondoa Allotment includes 151 acres of identified potential Carson wandering skipper habitat. It also includes bighorn habitat. Since this allotment straddles the California-Nevada state-line, the NEPA documents should indicate where bighorn sheep occur.

Although the summary table did not mention the presence of active sage-grouse leks, part of the Bicondoa Allotment lies within the Massacre PMU.

#### Buck Mountain #1011 (CA)

Buck Mountain Allotment is a small allotment of 120 acres with 73 public acres that provide 18 AUM. According to the recent draft RMP, a rangeland health determination has not been made for this allotment. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has been completed.

#### Calcutta Allotment #1100 (NV)

Calcutta Allotment totals 10,236 acres with 7,998 public acres that provide 496 AUM. There are 2 springs on the public lands. According to the recent draft RMP, a rangeland health determination has been made for this allotment. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has not been completed yet.

Calcutta Allotment includes areas that have been seeded.

Calcutta Allotment includes 1135 acres of identified potential Carson wandering skipper habitat. It reportedly has old or active pygmy rabbit burrows and includes bighorn sheep habitat. Although the summary table does not mention that active sage-grouse leks are found on the allotment, part of the allotment lies within the Vya PMU.

#### Crooks Lake Allotment #1107 (CA & NV)

Crooks Lake Allotment totals 44,183 acres with 36,882 public acres that provide 4,718 AUM. There are 8 springs and 0.5 miles of stream on the public lands. According to the recent draft RMP, a rangeland health determination has not been made for this allotment. The summary



table provided with the scoping letter indicates that a field assessment for this NEPA review has not been completed yet.

Crooks Lake Allotment includes areas that have been seeded.

A considerable area of the allotment is in the proposed North Hays CRMA. The draft RMP proposes restrictions on any increase in AUM allocation on allotments within the CRMA pending completion of a cultural resources management plan. [Surprise RMP at 2-9]

Two active sage-grouse leks occur on Crooks Lake Allotment, and the entire allotment lies within the Vya PMU.

Crooks Lake Allotment includes bighorn habitat. Since this allotment straddles the California-Nevada state-line, the NEPA documents should indicate which side of the border the bighorn sheep occur.

#### Denio Allotment #902 (NV)

Denio Allotment totals 24,231 acres with 22,267 public acres that provide 1,542 AUM. There are 8 springs and 0.2 miles of stream on the public lands. According to the recent draft RMP, a rangeland health determination has not been made for this allotment. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has been completed.

One active sage-grouse lek occurs on Denio Allotment, and most of the allotment lies within the Massacre PMU. It has active or old pygmy rabbit burrows and includes bighorn sheep habitat.

About a third of Denio Allotment lies within the Black Rock Desert High Rock Canyon Emigrant Trails National Conservation Area.

#### Goose Creek #1003 (CA)

Goose Creek Allotment is a very small allotment of 39 acres with 36 public acres that provide 10 AUM. According to the recent draft RMP, a rangeland health determination has not been made for this allotment. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has been completed.

#### Granger Allotment #1013 (CA)

Granger Allotment totals 1,308 acres with 1,203 public acres that provide 30 AUM. There is 1 mile of stream on the public lands. According to the recent draft RMP, a rangeland health determination has not been made for this allotment. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has been completed.

The allotment is in the South Warner Contiguous WSA.

#### Horse Lake Allotment #1126 (NV)

Horse Lake Allotment totals 29,874 acres with 26,823 public acres that provide 2,648 AUM. There are 18 springs on the public lands. According to the recent draft RMP, a rangeland health determination has not been made for this allotment. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has not been completed yet.

Horse Lake Allotment includes an area that has been seeded on the northeast side.

Horse Lake Allotment includes 974 acres of identified potential Carson wandering skipper habitat. No active sage-grouse leks are reported on the allotment but much of the allotment lies within the Vya PMU. The allotment does have active or old pygmy rabbit burrows and includes bighorn sheep habitat.

The parts of Horse Lake Allotment south of Highway 34 are in the Massacre Rim WSA. This area is also within the proposed Massacre Rim ACEC. This ACEC is designated to protect cultural resources. Under the proposed RMP, changes in grazing would only be granted if effects are likely to enhance (or have a neutral effect) on these resources and values. [Surprise RMP at 2-47].

#### Little Basin Allotment #1004 (NV)

Little Basin Allotment totals 25,806 acres with 24,750 public acres that provide 1,857 AUM. There are 11 springs on the public lands. According to the recent draft RMP, a rangeland health determination has not been made for this allotment. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has been completed.

Little Basin Allotment includes large areas that have been seeded.

Little Basin Allotment includes 74 acres of identified potential Carson wandering skipper habitat. No active sage-grouse leks are reported on the allotment but the allotment lies partly within the Vya PMU. The allotment includes bighorn sheep habitat.

Parts of Little Basin Allotment are in the Massacre Rim WSA.

#### Long Valley Allotment #1005 (NV)

Long Valley Allotment totals 73,940 acres (52,088 public acres), and provides 2,998 AUM. There are 5 springs on the public lands. According to the recent draft RMP, a rangeland health determination has been made for this allotment. The summary table provided with the scoping



letter indicates that a field assessment for this NEPA review has not been completed yet. The Long Valley and Alkali Lake allotments are shown on the same map. The legend on this map gives an acreage breakdown of 54,355 public, 15,560 private and 4,465 lakes.

Long Valley Allotment includes large areas that have been seeded.

Long Valley Allotment includes 1,955 acres of identified potential Carson wandering skipper habitat. The eastern part of the allotment is part of the Sage-Grouse Massacre Population Management Unit (PMU) and it is also adjacent to and may overlap the Vya PMU on the north.

Parts of Long Valley Allotment border the Black Rock Desert High Rock Canyon Emigrant Trails National Conservation Area.

#### Lower Lake Allotment #905 (CA & NV)

Lower Lake Allotment totals 19,451 acres (18,168 public acres), and provides 483 AUM. There are 2 springs on the public lands. According to the recent draft RMP, a rangeland health determination has not been made for this allotment. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has been completed.

Lower Lake Allotment includes 1,733 acres of identified potential Carson wandering skipper habitat. No active sage-grouse leks are reported on the allotment but the allotment lies partly within the Massacre PMU. The allotment includes bighorn sheep habitat. Since this allotment straddles the California-Nevada state-line, the NEPA documents should indicate which sides of the border bighorn sheep and habitat occur.

#### Massacre Lakes Allotment #1007 (NV)

Massacre Lakes Allotment totals 46,892 acres (38,466 public acres), and provides 2,642 AUM. There are 14 springs on the public lands. According to the recent draft RMP, a rangeland health determination has been made. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has not been completed yet.

Massacre Lakes Allotment includes large areas that have been seeded, including areas within the Massacre Rim WSA.

Massacre Lakes Allotment includes 64 acres of identified potential Carson wandering skipper habitat. One sage-grouse lek is reported on the allotment and most of the allotment lies within the Vya PMU. The allotment includes pygmy rabbit habitat and bighorn sheep habitat.

The allotment partly overlaps the proposed Massacre Rim ACEC. This ACEC is designated to protect cultural resources. Under the proposed RMP, changes in grazing would only be granted if effects are likely to enhance (or have a neutral effect) on these resources and values. [Surprise RMP at 2-47].

The allotment completely overlaps the Massacre Lakes Herd Management Area. The NEPA review must analyze competition and conflict between wild horses/burros and livestock on the allotment and adjacent allotments, since this could lead to heightened impacts to wildlife.

A substantial acreage of Massacre Lakes Allotment is in the Massacre Rim WSA. This is not noted in the summary table.

#### Massacre Mountain Allotment #1008 (NV)

Massacre Mountain Allotment totals 148,856 acres (146,097 public acres), and provides 8,000 AUM. There are 17 springs and 13.7 miles of stream on the public lands. According to the recent draft RMP, a rangeland health determination has not been made but most of this allotment is listed as outside the RMP planning area. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has been completed.

Massacre Mountain Allotment includes 64 acres of identified potential Carson wandering skipper habitat. Eight sage-grouse leks are reported on the allotment and most of the allotment lies within the Massacre PMU. The allotment includes pygmy rabbit habitat and bighorn sheep habitat.

The allotment completely overlaps the Massacre Mountain Management Area. The NEPA review must analyze competition and conflict between wild horses/burros and livestock on the allotment and adjacent allotments, since this could lead to heightened impacts to wildlife.

Most of Massacre Mountain Allotment lies within the Black Rock Desert High Rock Canyon Emigrant Trails National Conservation Area.

A substantial acreage of Massacre Mountain Allotment is in two designated wilderness areas – High Rock Canyon Wilderness and East Fork High Rock Canyon Wilderness.

#### McCulley Allotment #1009 (CA)

McCulley Allotment totals 1,084 acres with 975 public acres that provide 28 AUM. There is 1 mile of stream on the public lands. According to the recent draft RMP, a rangeland health determination has been made and all standards met. The summary table provided with the scoping letter indicates that the field assessment for this NEPA review has not been completed yet.

#### Nevada Cowhead #1113 (NV)

Nevada Cowhead Allotment totals 42,463 acres (39,568 public acres) and provides 2,880 AUM. There is 1 spring and 1.2 miles of trout stream on the public lands. According to the recent draft



RMP, a rangeland health determination has been made and the allotment did not fully meet standards. The summary table provided with the scoping letter indicates that the field assessment for this NEPA review has not been completed yet.

Nevada Cowhead Allotment includes significant sensitive cultural resources and habitat for threatened and endangered species and species petitioned for listing.

A considerable area of the allotment is in the North Hays CRMA. The draft RMP proposes restrictions on any increase in AUM allocation on allotments within the CRMA pending completion of a cultural resources management plan. [Surprise RMP at 2-9]

The Nevada Cowhead Allotment may include occupied habitat for the federally listed threatened Warner Sucker. The NEPA documents should include information on recent surveys for this species and measures to mitigate impacts to its habitat.

The allotment includes at least 2 active sage-grouse leks and the entire allotment is within the Vya PMU.

The allotment includes bighorn sheep, pronghorn, elk, and mule deer habitat.

#### North Larkspur Allotment #1115 (CA)

North Larkspur Allotment totals 4,262 acres (2,293 public acres), and provides 150 AUM. According to the recent draft RMP, a rangeland health determination has not been made for this allotment. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has not been completed yet.

North Larkspur Allotment includes 101 acres of identified potential Carson wandering skipper habitat. No active sage-grouse leks are reported in the summary table but the allotment lies partly within the Vya PMU.

#### Nut Mountain Allotment #1010 (NV)

Nut Mountain Allotment totals 71,250 acres (63,953 public acres), and provides 6,116 AUM. There are 3 springs and 0.45 miles of stream on the public lands. According to the recent draft RMP, the rangeland health determination found that not all standards were met and this is attributed to impacts from livestock. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has not been completed yet.

Nut Mountain Allotment includes areas that have been seeded.

Nut Mountain Allotment includes 169 acres of identified potential Carson wandering skipper habitat. One active sage-grouse lek is reported on the allotment and the entire allotment lies within the Vya PMU. The allotment includes pygmy rabbit habitat and bighorn sheep habitat.

Nut Mountain Allotment partly overlaps the proposed Massacre Rim ACEC. This ACEC is designated to protect cultural resources. Under the proposed RMP, changes in grazing would only be granted if effects are likely to enhance (or have a neutral effect) on these resources and values. [Surprise RMP at 2-47].

The allotment completely overlaps the Nut Mountain Herd Management Area. The NEPA review must analyze competition and conflict between wild horses/burros and livestock on the allotment and adjacent allotments, since this could lead to heightened impacts to wildlife.

About 17 square miles of the southern portion of the allotment lies within the Black Rock Desert High Rock Canyon Emigrant Trails National Conservation Area. About 6 square miles of this is within the East Fork High Rock Canyon Wilderness. Nearly 30 square miles of the northern part of the allotment is within the Massacre WSA.

#### South Larkspur Allotment #1103 (CA & NV)

South Larkspur Allotment totals 18,906 acres with 17,276 public acres that provide 985 AUM. There is 1 spring on the public lands. According to the recent draft RMP, a rangeland health determination had not been made. The summary table provided with the scoping letter indicates that a field assessment for this NEPA review has not been completed yet.

The allotment is in the proposed North Hays CRMA. The draft RMP proposes restrictions on any increase in AUM allocation on allotments within the CRMA pending completion of a cultural resources management plan. [Surprise RMP at 2-9]

South Larkspur Allotment includes 673 acres of identified potential Carson wandering skipper habitat. One active sage-grouse lek is reported for South Larkspur Allotment, and most of allotment lies within the Vya PMU.

#### Tuledad Allotment #802 (CA & NV)

Tuledad Allotment totals 165,286 acres (138,618 public acres), and provides 9,591 AUM. There are 20 springs and 16 miles of stream on the public lands. According to the recent draft RMP, a rangeland health determination has found that not all standards are being met and that recent livestock grazing is a primary cause of this. The summary table provided with the scoping letter indicates that the field assessment for this NEPA review has not been completed yet.

Tuledad Allotment includes areas that have been seeded.

Five active sage-grouse leks are reported on the allotment and most of the allotment lies within the Buffalo-Skedaddle PMU.

Tuledad Allotment includes bighorn habitat. Since this allotment straddles the California-Nevada state-line, the NEPA documents should indicate in which state jurisdiction the bighorn



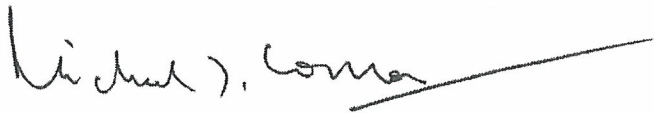
sheep occur. According to the proposed Surprise RMP, domestic sheep are grazed on this allotment. The BLM should fully implement the WAFWA recommendations (WAFWA 2007) and only authorize grazing by domestic sheep where mechanisms are in place to achieve effective separation from bighorn sheep.

The Tuledad Allotment completely overlaps the Tuledad Herd Management Area. The NEPA review must analyze competition and conflict between wild horses/burros and livestock on the allotment and adjacent allotments, since this could lead to heightened impacts to wildlife.

Most of the Nevada portion of the Tuledad Allotment is in the proposed Tuledad/Duck Flat CRMA. Tuledad Allotment also includes a substantial portion of the South Warner Contiguous WSA and all of the Buffalo Hills WSA within the Surprise Resource Area area.

We hope that you find our scoping comments useful. Please keep continue to keep us informed of all further substantive stages in the NEPA process and document in the record our involvement as members of the 'interested public'. If you have any questions, please feel to call me at (818) 345-0425 or e-mail me at <mjconnor@westernwatersheds.org>.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Connor", with a long horizontal line extending to the right.

Michael J. Connor, Ph.D.  
California Science Director

Attachment:

Letter from Western Watersheds Project dated , July 27, 2006 Re: Draft Surprise Resource Management Plan and EIS

## References

- Connelly, J. W., Knick, S. T., Schroeder, M. A. and Stiver, S. J. 2004. Conservation Assessment of Greater Sage-grouse and Sagebrush Habitats. Western Association of Fish and Wildlife Agencies. Unpublished Report. Cheyenne, Wyoming.
- CNPS (California Native Plant Society). 2007. Inventory of Rare and Endangered Plants (online edition, v7-07d). California Native Plant Society. Sacramento, CA.
- FWS 2003. Endangered and threatened wildlife and plants: Final Rule to List the Columbia Basin Distinct Population Segment of the Pygmy Rabbit (*Brachylagus idahoensis*) as Endangered. Federal Register. March 5, 2003. Vol. 68 (43): 10388-10409.
- FWS 2005a. Endangered and Threatened Wildlife and Plants; 12-Month Finding for Petitions To List the Greater Sage-grouse as Threatened or Endangered. Federal Register. January 12, 2005. Vol. 70(8): 2244-2282.
- FWS 2005b. Endangered and Threatened Wildlife and Plants; 90-Day Finding on a Petition To List the Pygmy Rabbit (*Brachylagus idahoensis*) as Threatened or Endangered. Federal Register. May 20, 2005. Vol. 70 (97): 29253-29265.
- FWS 2006. Recovery plan for the Carson wandering skipper (*Pseudocopa eodes eunus obscurus*). U.S. Fish and Wildlife Service, Sacramento, California. viii + 94 pages.
- FWS 2008. Endangered and Threatened Wildlife and Plants; 90-Day Finding on a Petition To List the Pygmy Rabbit (*Brachylagus idahoensis*) as Threatened or Endangered. Federal Register. January 8, 2008. Vol. 73 (5): 1312-1313.
- Katzner, T. E. and Parker, K. L. 1997. Vegetative characteristics and size of home ranges used by pygmy rabbits (*Brachylagus idahoensis*) during winter. Journal of Mammalogy. 78:1063-1072.
- Schroeder M. J., Aldridge C. A., Apa A. D., Bohne, J. R., Clait E. Braun, C. E., Bunnell, S. D., Connelly, J. W., Deibert, P. A., Gardner, S. C., Hilliard, M. A., Kobriger, G. D., Mcadam, S. M., McCarthy, C. W., McCarthy, J. J., Mitchell, D. L., Rickerson, E. V. and San J. Stiver, S. J. 2004. Distribution of sage-grouse in North America. Condor, 106, 363–376.
- WAFWA 2007. Western Association of Fish and Wildlife Agencies (WAFWA) Wild Sheep Working Group Initial Subcommittee Recommendations for Domestic Sheep and Goat Management In Wild Sheep Habitat. June 21, 2007. 27 pp.





# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Surprise Field Office  
PO Box 460  
Cedarville, CA 96104  
[www.ca.blm.gov/surprise](http://www.ca.blm.gov/surprise)



In Reply Refer To:  
4100 (P)  
CA370

January 17, 2008

Dear Interested Party,

The Surprise Field Office is initiating scoping for multiple planning efforts which will review monitoring data and complete environmental documentation necessary to fully process grazing permits. The need for this action is to comply with Instruction Memorandum WO-2003-071 which requires "by the end of fiscal year 2009, all [carryover] grazing permits shall be fully processed using information from the land health standards evaluations as needed to complete environmental impact analysis."

As a first step in this process, we are determining interest in participating and hereby requesting any related monitoring data you may have which is relevant to the action at hand. Your data will be combined with ours and used to identify resource concerns and to develop purpose and need statements and alternatives for analysis.

Enclosed with this letter is a summary table showing the resources present on the allotments we will be reviewing. If you would like to be involved in this planning process, or have data concerning this proposal please send it to:

Bureau of Land Management  
Attn: Steve Surian  
Surprise Field Office  
PO Box 460.  
Cedarville, CA 96104

Your comments should be submitted by February 15, 2008 to insure consideration.

If you are not interested in receiving information, or if you wish to be removed from our mailing list, please contact us at the above address or you may call Steve Surian at (530) 279-2712.

Sincerely,

Shane DeForest  
Field Manager

Enclosures:

Table of allotment information  
Allotment map (s)

# Surprise Field Office

## 2008 Grazing Permit Renewal Issue Summary

ALLOTMENT	Total Acres	Public Lands (ac)	% Public Lands in Allotment	PUBLIC AUMS	Field Assessment Completed	Designated Wilderness in Allotment	WSA in Allotment	HMA	NCA	T&E Species	Stream miles	Fish Species	# of Public Springs	Mule Deer Habitat	Pronghorn antelope	Sagegrouse Leaks	Pinyon rabbit sitings	POTENTIAL Carson Habitat (ac)	Wandering Skipper	BIGHORN HABITAT/ SITINGS	KNOWN ELK USE
														Winter	Summer						
Calcutta	10,236	7,998	78.1	496						0.0		2		X		X		1,135	X		
Goose Creek	39	36	92.3	10	X					0.0		0		X							
Buck Mt	120	73	60.8	18	X					0.0		0		X							
McCulley	1,084	1,000	92.3	28																	
South Larkspur	18,906	17,276	91.4	985						0.0		1		X	X	1		673			
Crooks Lake	44,183	36,882	83.5	4,718						0.5		8		X	X	2			X		
Massacre Lakes	46,892	38,466	82.0	2,642				X		0.0		14		X	X	1	X	64	X		
Little Basin	25,806	24,750	95.9	1,857	X					0.0		11		X	X			74	X		
Long Valley	73,940	52,088	70.4	2,998				X		0.0		5		X	X	X	X	1,955			
Alkali Lake	443	169	38.1	11	X					0.0		0		X					X		
Granger	1,308	1,203	92.0	30	X			X		1.0	TROUT	0		X							
Nut Mt	71,250	63,953	89.8	6,116						0.5	TROUT, DACE	3		X	X	1	X	169	X		
North Larkspur	4,262	2,293	53.8	150		X		X	X	0.0		0	X		X			101			
Bicondoa	10,722	10,020	93.5	368	X					0.0		0	X	X				151	X		
McCulley	1,084	975	89.9	28						1.0	TROUT	0		X							
Horse Lake	29,874	26,823	89.8	2,648			X			0.0		18		X	X		X	974	X		
Lower lake	19,451	18,168	93.4	483	X					0.0		2	X	X				1,733	X		
NV Cowhead	42,463	39,568	93.2	2,880					X	1.2	TROUT, SUCKER, DACE	1		X	X	2			X	X	
Bally Mountain	5,330	1,475	27.7	198	X					0.0		0		X							
Denio	24,231	22,267	91.9	1,542	X			X		0.2		8		X	X	1	X		X		
Massacre Mtn.	148,856	146,097	98.1	8,000	X		X	X	X	13.7		17	X	X	X	8	X	64	X		
Tuledad	165,286	138,618	83.9	9,591			X	X	X	16.0	TROUT	20	X	X	X	5			X	X	

### Notes

T&E - Allotments with federally Threatened and Endangered species present  
 WSA - Wilderness Study Area Lands  
 NCA - Allotments with National Conservation Area Lands  
 HMA - Allotments with Herd Management Areas



**Todd Degarmo, Chair**  
**Ft. Bidwell Tribal Council**  
**PO Box 129**  
**Fort Bidwell, CA 96112**

**Dennis Smith**  
**Modoc Cattlemen's Association**  
**PO Box E**  
**Cedarville, CA 96104**

**Hicks Brothers**  
**HC01 Box 5**  
**Cedarville, CA 96104**

**Marisha Noneo**  
**Chair, Cedarville Rancheria**  
**200 South Howard St.**  
**Alturas, CA 96101**

**Debbie Douglas-Hay**  
**PO Box 25**  
**Fort Bidwell, CA 96112**

**Ray Page**  
**PO Box 157**  
**Cedarville, CA. 96104**

**Jim Gifford**  
**USDA, NRCS**  
**1702 County Road Suite 1A**  
**Minden, NV 89423**

**Owen Schafer**  
**4961 Via Roblada.**  
**Santa Barbara, CA 93110**

**Alex Erquiaga**  
**HC01 Box 9**  
**Cedarville, CA 96104**

**Nancy Huffman, Chair**  
**Northeast California RAC**  
**405 County Road 123**  
**Tulelake, CA 96134**

**Fee Ranch, Inc.**  
**c/o Tom Fee**  
**P.O. Box 189**  
**Fort Bidwell, CA 96112**

**Timothy Lawson**  
**1100 Swope Ln.**  
**Fallon, NV 89406**

**Sean Curtis**  
**Modoc Land Use Committee**  
**PO Box 1692**  
**Alturas, CA 96101**

**Bordwell Family Trust**  
**Ken Bordwell**  
**PO Box 264**  
**Cedarville, CA 96104**

**Jay Harney**  
**4092 Oak Grove School Rd.**  
**Mariposa, CA 95338**

**Nevada State Clearinghouse**  
**Division of Administration**  
**Capitol Complex**  
**Carson City, NV 89702**

**Ed Hill**  
**Star Route, Box 6**  
**Lake City, CA 96115**

**Stu Brown**  
**Double Horseshoe Ranch**  
**106 E. Adams, Suite 212**  
**Carson City, NV 89701**

**Center for Biological Diversity**  
**Grazing Reform Program**  
**P. O. Box 710**  
**Tucson, AZ 85702-0710**

**Alice Iveson**  
**PO Box 82**  
**Cedarville, CA 96104**

**Hapgood Ranch**  
**Star Route**  
**Lake City, CA 96115**

**Jesse Harris**  
**Nevada Cattlemen's Association**  
**North Washoe Unit**  
**PO Box 222**  
**Eagleville, Ca 96110**

**Patrick Fitzgerald**  
**3157 Wagner Heights Rd.**  
**Stockton, CA 95209**

**Wes Cook**  
**HC01 Box 5B**  
**Cedarville, CA 96104**

**Richard Shinn**  
**California Department of Fish & Game**  
**P. O. Box 1244**  
**Alturas, CA 96101**

**Will and Debra Cockrell**  
**Star Route Box 11A**  
**Cedarville, CA 96104**

**William Cockrell Estate**  
**Star Route**  
**Cedarville, CA 96104**

**Roy Leach**  
**Nevada Division of Wildlife**  
**380 West B Street**  
**Fallon, NV 89406**

**Joe Stevenson**  
**HC01 Box 17**  
**Cedarville, CA 96104**

**Tribal Council**  
**Pyramid Lake Paiute Tribe**  
**PO Box 256**  
**Nixon, NV 89424-0256**

**Susie Askew**  
1283 Creek Haven Cir.  
Reno, NV 89509-7109

**Terry Hardwicke**  
13560 Evening Song Lane  
Reno, NV 89511-6608

**Will Roger**  
Burning Man  
2112 W St. #3  
Oakland, CA 94612-1003

**Karen Boeger**  
5055 Wilcox Ranch Rd.  
Reno, NV 89510-9392

**Larry Johnson**  
Coalition for Nevada Wildlife  
1345 Capital Blvd. Ste. A  
Reno, NV 89502-7140

**Donna Potter Stammers**  
Empire Farms  
PO Box 40  
Empire, NV 89405-0040

**Mr. Dave Cooper**  
5100 N. Winnemucca Blvd.  
Winnemucca, NV 89445-2921

**Donald E. Klusman**  
CA Assoc. of 4WD Clubs, Inc.  
2916 Coy Drive  
Yuba City, CA 95993-8855

**Dr. Craig Young**  
PO Box 47  
Virginia City, NV 89440-0047

**Chuck Dodd**  
OR CA Trails Assn.  
105 Almond Drive  
Winters, CA 95694-2105

**James A. Kudrna**  
Kudrna Nevada LLC  
16912 Mt. Rose Hwy  
Reno, NV 89511-5718

**Andrew List**  
Nevada Fire safe Council  
PO Box 2724  
Carson City, NV 89706-2724

**Rochanne Downs**  
Fallon Paiute-Shoshone Tribe  
565 Rio Vista Drive  
Fallen, NV 89406-6415

**James Linebaugh**  
NV State Grazing Board  
3 Yhvona Drive  
Carson City, NV 89702-2724

**Bob Stayer**  
PO box 599  
Cedarville, CA 96104

**Mr. James Eidel**  
Great Basin Bird Observatory  
4150 Meadow Wood Rd.  
Carson City, NV 89703-9459

**Susan Lynn**  
Nevada Water Network  
1755 E Plumb Lane  
Reno, NV 89502-3683

**Lonny Schadler**  
PO box 97  
Adel, OR 97620

**Norvie Enns**  
CA & NV Rockhounds  
1485 W 4<sup>th</sup> St. #10  
Reno, NV 89503-5002

**Mr. Dennis Porter**  
High Rock Trekkers  
PO Box 839  
Silver Springs, NV 89429-0839

**Oral Choate**  
PO Box 17  
Eagleville, CA. 96110

**Kurt Stodtmeister**  
PO Box 383  
Cedarville, CA. 96104

**Scott Gooch**  
PO Box 314  
Cedarville, CA. 96104

**Estill, Et Al**  
PO Box 655  
Eagleville, CA. 96110

**Angela and Ryan**  
Schliesser  
PO Box 385  
Cedarville, CA. 96104

**Craig Downer**  
PO Box 456  
Minden, NV. 89423

**Cindy MacDonald**  
3605 Silver Sand Ct.  
North Las Vegas, NV. 89032

**Cathy Barcomb**  
Commission – Preservation  
Of Wild Horses  
885 East Lake Road  
Carson City, NV. 89704

**Friends of NV. Wilderness**  
PO Box 9754  
Reno, NV. 89507

**White Pine Ranch**  
PO Box 652  
Eagleville, CA. 96110



**Clyde Hill  
PO Box 145  
Cedarville, CA. 96104**

**Alan Berryessa  
(Is. Hein/Davis)  
HC01 Box 18  
Cedarville, CA. 96104**

**Bunyard Ranches  
c/o John Bunyard  
PO Box 345  
Cedarville, CA. 96104**

**Evelyn Moore  
PO Box 533  
Cedarville, CA. 96104**

**Mel Hein & Kathy Davis  
HC01 Box 17A  
Cedarville, CA. 96104**

**Dr. Michael J. Conner  
Western Watershed Project  
PO Box 2364  
Reseda, CA 91337-2364**



# Center for Biological Diversity

*Protecting endangered species and wild places through  
science, policy, education, and environmental law.*

2 pages faxed to (530) 279-2171 copy by ordinary mail

Owen Billingsley, FM  
BLM Surprise Field Office  
602 Cressler St.  
Cedarville, CA 96002

RECEIVED

JAN 13 2003

Bureau of Land Management  
Cedarville, CA 96104

Dear Mr. Billingsley,

January 10, 2003

The Center for Biological Diversity wishes to be considered an affected interest/interested public for the following grazing allotments listed below. For all allotments, please send us all draft assessments for review and the BLM's recommendations for improving conditions by the next grazing year, as well as proposed decisions, permit renewal information, accompanied by an environmental assessment (EA), decisions and analyses. We are an interested party due to our, and our 7500+ members and supporters interest in endangered and sensitive species, non-consumptive recreation, esthetic and scientific enjoyment of unimpaired native species and ecosystems, wild and scenic rivers, wilderness, clean water and cultural resource values. Any and all allotments in which such values are affected, also affects our interests. Additionally, please send us a list of any allotments up for review in 2003 that we have not mentioned in this letter.

Thank you,

AJ Schneller

Grazing Reform Program

Tucson • Phoenix • Silver City • San Diego • Idyllwild • Berkeley • Shaw Island • Sitka

Grazing Reform Program • PO Box 710 • Tucson, AZ • 85702-0710

TEL.: (520) 623-5252 ext. 314 • FAX: (520) 623-9797

Email: [ajs@grazing.org](mailto:ajs@grazing.org) • [www.biologicaldiversity.org](http://www.biologicaldiversity.org)



370	0402602	WHITE PINE RANCH 03/01/2000 02/28/2003	01002	CA	BULL CREEK	
370	0402605	BORDWELL FAMILY TRUST 01/01/1993 12/31/2002	01103	CA	SOUTH LARKSPUR	
370	0402606	BUCHER, MONTEZ ESTATE 03/01/1993 02/28/2003	01104	CA	BIDWELL	
370	0402610	CAREY, JOHN C. AND SHARON L. 03/01/1993 02/28/2003	01105 01106	CA CA	FANDANGO EAST	
370	0402611	CAREY, JOHN C. AND SHARON L. 03/01/1993 02/28/2003	01106 01118	CA CA	EAST WEST	
370	0402612	BUNYARD RANCH LS WHITE PINE RANCH 03/01/2002 02/28/2003 03/01/2002	01008	CA	MASSACRE MOUNTAIN	
370	0402614	CAREY, JOHN C. AND SHARON L. 03/01/1993 02/28/2003	01114	CA	NORTH COWHEAD	
370	0402622	IVESON, ALICE 03/15/1993 02/28/2003	01126	CA	HORSE LAKE	
370	0402623	SMITH, STEVE 03/15/1993 02/28/2003	01105	CA	FANDANGO	
370	0402627	HAPGOOD RANCH 03/01/1993 02/28/2003	01100	CA	CALCUTTA	
370	0402648	MAD DOG CATTLE CO. LS SAM JAKSICK 05/06/1996 04/30/2003	00901 00904	CA CA	DUCK LAKE HIGHWAY	
370	0402649	MARGARET PETERSON ESTATE 03/01/1993 02/28/2003	01106 01118 01115	CA CA CA	EAST WEST NORTH LARKSPUR	
370	0402651	QUIRK, IVA J. 03/01/1981 02/28/1991	01011	CA	BUCK MOUNTAIN	EXPIRED
370	0402667	SCHADLER RANCHES LS SCAMMON 03/01/2001 12/31/2001	01121	CA	SCAMMON	EXPIRED

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
SURPRISE RESOURCE AREA  
P.O. Box 460  
Cedarville, California 96104

*Joe S. Sz*

In Reply  
Refer To:  
4100, 6840(CA-370) P

MEMORANDUM

2 July 2008

TO: Shane DeForest, Surprise Field Office Manager

FROM: Elias Flores Jr, Wildlife/Fisheries Biologist

SUBJECT: Carson wandering skipper habitat in the South Larkspur Allotment

Having reviewed current literature and taken a field visit to known habitat outside the field office boundaries to look at occupied habitat, I have determined that the South Larkspur Allotment does not have suitable habitat for the Carson wandering skipper. This conclusion is also based on a brief field survey I conducted on the 24<sup>th</sup> of June, 1) to supplement my habitat observations from earlier in the year during field visits for the current round of permit renewals, and 2) to look for Carson wandering skipper. The habitat seen did not look suitable for Carson Wandering skipper due to a total lack of nectar sources, there was however salt grass at the mapped site in approximately continuous patches. Two butterflies of the same species were found, although they were not skippers.



Elias Flores Jr



Enclosures:

1. Notice of Field Manager's Proposed Decision Grazing Permit Issuance for the South Larkspur Allotment.
2. Categorical Exclusion NEPA document (DOI-BLM-CA-N070-2009-0005-CX)

cc: 3/25 Bordwell Family Trust, Kenneth Bordwell (Cert. Mail #7160 3901 9846 0556 1511)  
3/23 Todd Degarmo, Chair, Ft. Bidwell Tribal Council (Cert. Mail #7160 3901 9846 0556 1610)  
3/19 Cherie Rhoades, Chair, Cedarville Rancheria (Cert. Mail #7160 3901 9846 0556 1603)  
3/19 Jim Gifford, USDA, NRCS (Cert. Mail #7160 3901 9846 0556 1597)  
3/19 Sean Curtis, Modoc Land Use Committee (Cert. Mail #7160 3901 9846 0556 1580)  
3/24 Mr. Rob Mrowka, Center for Biological Diversity (Cert. Mail #7160 3901 9846 0556 1573)  
3/19 Roy Leach, Nevada Division of Wildlife (Cert. Mail #7160 3901 9846 0556 1566)  
3/23 Richard Shinn, California Department of Fish & Game (Cert. Mail #7160 3901 9846 0556 1559)  
3/23 Michael Connor, Western Watersheds Project (Cert. Mail #7160 3901 9846 0556 1542)  
4/1 James Eidel, Great Basin Bird Observatory (Cert. Mail #7160 3901 9846 0556 1535)  
3/20 Susan Lynn, Nevada Water Network (Cert. Mail #7160 3901 9846 0556 1528)  
Dennis Smith, Modoc Cattlemen's Association (First Class Mail)  
Nancy Huffman, Chair, Northeastern California RAC (First Class Mail)  
Jesse Harris, Nevada Cattlemen's Association, North Washoe Unit (First Class Mail)  
Jim Irvin, Modoc-Washoe Experimental Stewardship Committee (First Class Mail)  
Norvie Enns, CA & NV Rockhounds (First Class Mail)  
NV Clearinghouse (email)



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Surprise Field Office  
PO Box 460  
Cedarville, CA 96104  
[www.ca.blm.gov/surprise](http://www.ca.blm.gov/surprise)



In Reply Refer To:  
4130 (CAN070) P

May 19, 2009

### MEMORANDUM

**TO:** Steve Surian, Sup. Rangeland Management Specialist *SJS*

**FROM:** Steve Mathews, Rangeland Management Specialist *Sm*

**SUBJECT:** South Larkspur Grazing Decision

On March 17, 2009 the Proposed Decision issuing a 10 year grazing permit on the South Larkspur Allotment was signed by Shane DeForest, Surprise Field Manager. The proposed decision was sent to 17 interested parties and no protests or appeals were received during the 15 and 30 day periods respectively. As of May 18, 2009 the proposed decision was considered final in accordance with 43 CFR 4160.3(a) and a 10 year grazing permit was issued to Kenneth Bordwell (Bordwell Family Trust).





# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Surprise Field Office  
P. O. Box 460  
Cedarville, CA 96104  
[www.ca.blm.gov/surprise](http://www.ca.blm.gov/surprise)



In Reply Refer To:  
4160 (CA-370) P

March 17, 2009

### **NOTICE OF FIELD MANAGER'S PROPOSED DECISION GRAZING PERMIT ISSUANCE FOR THE SOUTH LARKSPUR ALLOTMENT**

#### **BACKGROUND**

The Bureau of Land Management (BLM) is proposing to issue the grazing permit on the South Larkspur Allotment. The current permit was issued under the Appropriations Act; therefore requires renewal by September 30, 2009.

The South Larkspur Allotment is located at T45N, R17E in northeastern California and northwestern Nevada. The allotment consists of 17,315 acres of public land and 1,590 acres of private land.

Livestock grazing on the South Larkspur Allotment has been evaluated in relation to meeting the Standards and Guidelines for Rangeland Health for Northeastern California and Northwestern Nevada. This evaluation determined that the standards for rangeland health applicable to the South Larkspur Allotment are being met, and that proposed livestock grazing use would be in conformance with the guidelines for rangeland health. Based on those determinations, the Surprise Field Office is not proposing changes to the existing mandatory terms and conditions for livestock grazing on the South Larkspur Allotment.

Livestock grazing on the South Larkspur Allotment is subject to the Surprise Resource Management Plan (RMP) and Record of Decision, April 2008, and the Northeastern California and Northwestern Nevada, Standards for Rangeland Health and Guidelines for Livestock Grazing Management, 2000. The South Larkspur Allotment is in an area identified for livestock grazing in the RMP and therefore the Proposed Decision is consistent with the land use plan decisions and resource management goals and objectives.

The public was informed of the proposal for the grazing permit renewal during Scoping in January, 2008. The Scoping letter was sent to 66 interested publics of record, state agencies and permittees. Western Watersheds Project and Nevada Department of Wildlife contributed comments that were carefully considered. Compliance with the National Environmental Policy Act (NEPA) was completed by Categorical Exclusion # DOI-BLM-CA-N070-2009-0005-CX.

### **FIELD MANAGER'S PROPOSED DECISION**

It is my proposed decision to implement the Proposed Action, the issuance of the grazing permits for 10 years on the South Larkspur Allotment. The following table contains livestock permitted use (mandatory terms and conditions) in accordance with 43 CFR 4130.3-1:

#### **South Larkspur Allotment Terms and Conditions**

##### **Permitted Use Summary**

Allotment	Operator	Active AUMs	Suspended AUMs	Total Permitted Use
South Larkspur	Bordwell Family Trust	1040	0	1040

##### **Existing Grazing Permit Schedule**

Operator	Auth. Number	No. of livestock	Kind	Season of use	Public AUMs	% Public Land
Bordwell Family Trust	0402605	95	C	4/05 - 4/15	29	83
		202	C	4/16 - 10/15	1009	
TOTAL				4/5 - 10/15	1038	83

The grazing permit contains terms and conditions consistent with meeting Surprise RMP objectives and land health standards. Monitoring would be consistent with the Record of Decision for the Rangeland Health Standards and Guidelines for Northeastern California and Northwestern Nevada.

This permit will be subject to the following terms and conditions issued in accordance with 43 CFR 4130.3-1:

1. Grazing use offered or authorized by BLM is subject to all provisions of the grazing regulations (43 CFR Parts 4100) and other applicable law and regulation. Grazing use authorization may be modified in accordance with regulation to attain progress towards achieving rangeland health standards (subpart 4180.1 and 4180.2 Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration). Any changes to the permit would occur after consultation, cooperation and coordination with the grazing permittee and other interested parties).



2. Grazing use on the South Larkspur Allotment will be in accordance with this Proposed/Final Grazing Decision and other provisions of the South Larkspur Allotment Management Plan. Any livestock use found outside the limits of flexibility of the AMP, without prior authorization, will be subject to unauthorized use actions.
3. Billing will be based on your actual use reports which are to be submitted within 15 days of your last authorized take off date for each allotment. If actual use reports are not submitted within 30 days, the permittee will be billed and liable for their full active preference. Repeated delays in submitting actual use reports and/or paying grazing billings will revoke actual use billing privileges.
4. Salt and/or mineral supplements will be placed no closer than ¼ mile from any public water source.
5. All range improvements must be maintained to BLM standards prior to livestock turnout. All assigned fence maintenance must be completed annually, even if your permit is not activated. Failure to complete assigned fence maintenance may result in suspension of your grazing authorization.
6. The livestock operators are responsible for moving livestock in a timely manner before allowable use levels are exceeded.

### **RATIONALE**

This proposed decision will authorize grazing on the South Larkspur Allotment in accordance with 43 CFR 4100, and to be consistent with the provisions of the Taylor Grazing Act, Public Rangelands Improvement Act, and Federal Land Policy and Management Act.

The Proposed Decision was developed after a review of resource issues and conditions found on the South Larkspur Allotment. In February 2009 the Rangeland Health Determination was completed, and the allotment is meeting Rangeland Health Standards. Categorical Exclusion NEPA # DOI-BLM-CA-N070-2009-0005-CX was prepared to review the proposed decision in consultation with the permittees, state agencies and interested publics. Terms and conditions are incorporated into permits to ensure consistency with rangeland health standards, while continuing to provide forage for livestock grazing. Annual flexibility in the basic operation is incorporated in the permit to address such things as weather and economic factors. Annual adjustments may also be necessary to meet utilization guidelines.

The Proposed Decision has also been determined to be in conformance with the Surprise Resource Management Plan and Record of Decision, April 2008, (RMP) as required by regulation (43 CFR 1610.5-3(a)). The South Larkspur Allotment is in an area identified for livestock grazing in the Surprise RMP.

The Surprise Field Office has reviewed the proposed action in this decision in relation to procedures for documenting compliance with NEPA, and determined that the actions in these

decisions are categorically excluded (CX) from further documentation under NEPA in accordance with 516 DM 11.9, D (11). The specific CX language provides for the Issuance of Livestock grazing permits/leases where:

- (a) The new grazing permit/lease is consistent with the use specified on the previous permit/lease, such that*
  - 1. the same kind of livestock is grazed.*
  - 2. the active use previously authorized is not exceeded, and*
  - 3. grazing does not occur more than 14 days earlier or later than as specified on the previous permit/lease, and*
- (b) The grazing allotment(s) has been assessed and evaluated and the Responsible Official has documented in a determination that the allotment(s) is*
  - 1. meeting land health standards, or*
  - 2. not meeting land health standards due to factors that do not include existing livestock grazing.*

Actions that qualify as categorical exclusions do not have significant effects on the quality of the human environment; therefore, neither an environmental assessment (EA) nor an environmental impact statement (EIS) is required. These decisions are consistent with the use specified on the previous permits/leases, and evaluations of the grazing allotments determined the applicable land health standards are being met.

## **AUTHORITY**

The authority for this decision includes but is not limited to:

### **Sec. 4100.0-8 Land use plans**

The authorized officer shall manage livestock grazing on public lands under the principle of multiple use and sustained yield, and in accordance with applicable land use plans. Land use plans shall establish allowable resource uses (either singly or in combination), related levels of production or use to be maintained, areas of use, and resource condition goals and objectives to be obtained. The plans also set forth program constraints and general management practices needed to achieve management objectives. Livestock grazing activities and management actions approved by the authorized officer shall be in conformance with the land use plan as defined at 43 CFR 1601.0-5(b).

### **Sec. 4130.2 Grazing Permits or Leases**

(a) Grazing permits and leases authorize use on the public lands and other BLM-administered lands that are designated in land use plans as available for livestock grazing. Permits and leases will specify the grazing preference, including active and suspended use. These grazing permits and leases will also specify terms and conditions pursuant to §§4130.3, 4130.3-1, and 4130.3-2.



(d) The term of grazing permits or leases authorizing livestock grazing on the public lands and other lands under the administration of the Bureau of Land Management shall be 10 years unless—

(3) The term of the base property lease is less than 10 years, in which case the term of the Federal permit or lease shall coincide with the term of the base property lease;

#### Sec. 4130.3 Terms and Conditions

Livestock grazing permits and leases shall contain terms and conditions determined by the authorized officer to be appropriate to achieve management and resource condition objectives for the public lands and other lands administered by the Bureau of Land Management, and to ensure conformance with the provisions of subpart 4180 of this part.

##### Sec. 4130.3-1 Mandatory Terms and Conditions

(a) The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use, in animal unit months, for every grazing permit or lease. The authorized livestock grazing use shall not exceed the livestock carrying capacity of the allotment.

(b) All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any term or condition of the permit or lease.

(c) Permits and leases shall incorporate terms and conditions that ensure conformance with subpart 4180 of this part.

##### Sec. 4130.3-2 Other Terms and Conditions

The authorized officer may specify in grazing permits or leases other terms and conditions which will assist in achieving management objectives and provide for proper range management or assist in the orderly administration of the public rangelands. These may include but are not limited to:

- (c) Authorization to use, and directions for placement of supplemental feed, including salt, for improved livestock and rangeland management on the public lands;
- (d) A requirement that permittees or lessees operating under a grazing permit or lease submit within 15 days after completing their annual grazing use, or as otherwise specified in the permit or lease, the actual use made;

#### Sec. 4180.1 Fundamentals of Rangeland Health

Standards and guidelines developed or revised by a Bureau of Land Management State Director under §4180.2(b) must be consistent with the following fundamentals of rangeland health:

(a) Watersheds are in, or are making significant progress toward, properly functioning physical condition, including their upland, riparian-wetland, and aquatic components; soil and plant conditions support infiltration, soil moisture storage, and the release of water that are in balance with climate and landform and maintain or improve water quality, water quantity, and timing and duration of flow.

(b) Ecological processes, including the hydrologic cycle, nutrient cycle, and energy flow, are maintained, or there is significant progress toward their attainment, in order to support healthy biotic populations and communities.

(c) Water quality complies with State water quality standards and achieves, or is making significant progress toward achieving, established BLM management objectives such as meeting wildlife needs.

(d) Habitats are, or are making significant progress toward being, restored or maintained for Federal threatened and endangered species, Federal proposed or candidate threatened and endangered species, and other special status species.

### **RIGHT OF PROTEST AND/OR APPEAL**

Any applicant, permittee, lessee or other affected interest may protest a proposed decision under Sec. 43 CFR 4160.1, in person or in writing to Shane DeForest, Surprise Field Manager, PO Box 460, 602 Cressler Street, Cedarville, California 96104 within 15 days after receipt of such decision. The protest, if filed, should clearly and concisely state the reason(s) as to why the proposed decision is in error.

In the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision. In the event a protest is received, the authorized officer will consider the protest points and issue a final decision.

Any applicant, permittee, lessee or other person whose interest is adversely affected by the final decision may file an appeal in accordance with 43 CFR 4.470 and 43 CFR 4160.1-4. The appeal may be accompanied by a petition for stay of the decision in accordance with 43 CFR 4.21, pending final determination on appeal. The appeal and petition for stay must be filed in the office of the authorized officer, as noted above, within 30 days following receipt of the final decision, or within 30 days after the date the proposed decision becomes final.

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and otherwise comply with the provisions of 43 CFR 4.470 which is available from the BLM office for your use in a BLM office.



In accordance with 43 CFR 4.21(b) (1), a petition for stay, if filed, must show sufficient justification based on the following standards:

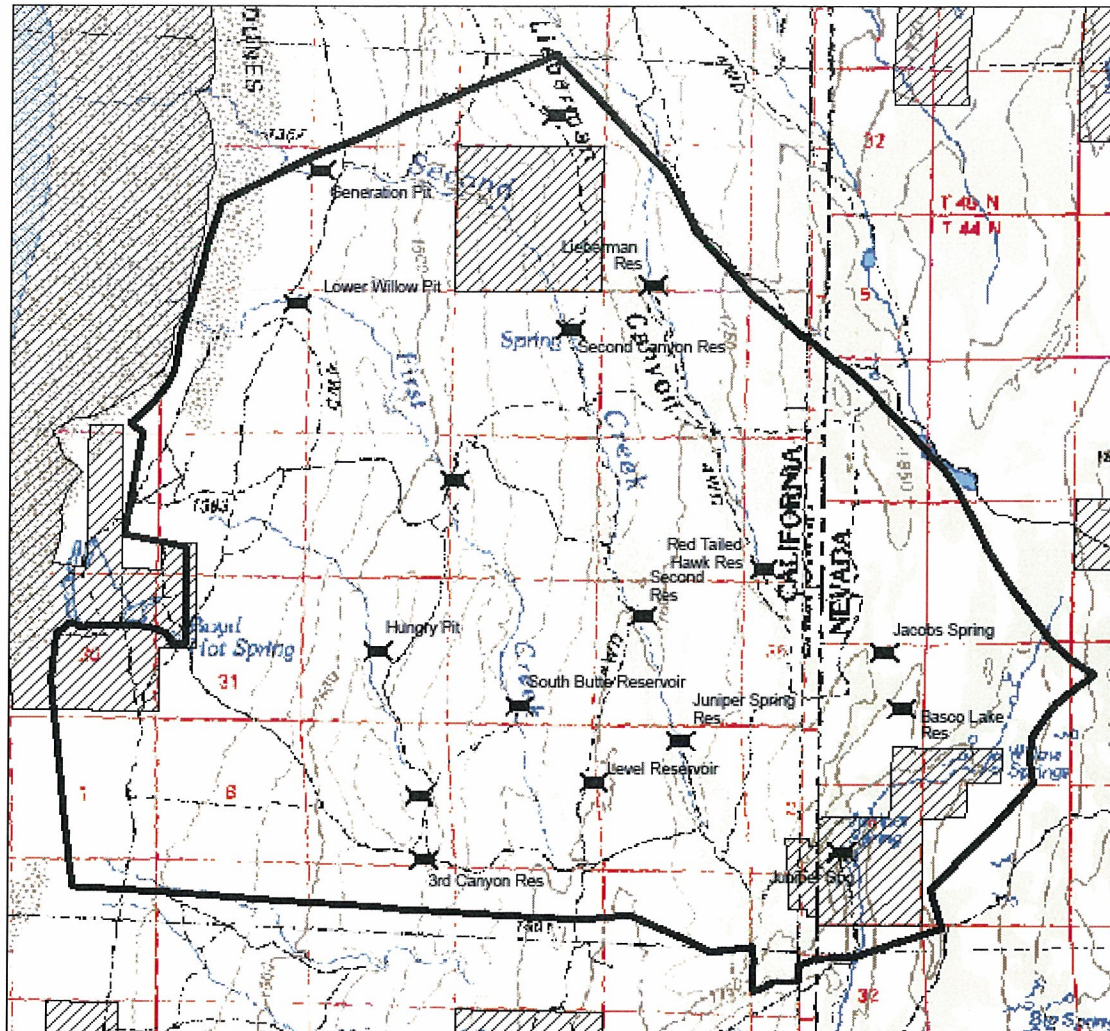
- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Sincerely,

A handwritten signature in black ink, appearing to read "Shane DeForest", with a stylized flourish at the end.

Shane DeForest,  
Surprise Field Manager

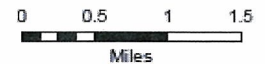
Attachment 1  
South Larkspur Allotment Map



South Larkspur Allotment

Legend

- Developed Spring
- Pit Reservoir
- Windmill
- Private Lands
- South Larkspur Allotment



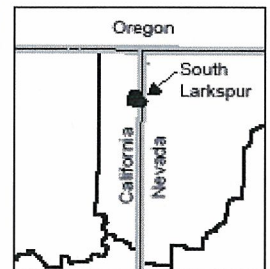
Approximate Ownership Acres

Bureau of Land Management	17,315
Private	1,590



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregated use with other data. Original data was compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notice.

Location Map







# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Surprise Field Office  
PO Box 460  
Cedarville, CA 96104  
[www.ca.blm.gov/surprise](http://www.ca.blm.gov/surprise)



In Reply Refer To:  
4160 (CA-370) P

March 17, 2009

Dear Reader:

Enclosed you will find the Notice of Field Manager's Proposed Decision Grazing Permit Issuance for the South Larkspur Allotment. The Categorical Exclusion NEPA document (DOI-BLM-CA-N070-2009-0005-CX) pertaining to the Proposed Decisions is also enclosed.

Sincerely,

Shane DeForest,  
Surprise Field Manager

Enclosures:

1. Notice of Field Manager's Proposed Decision Grazing Permit Issuance for the South Larkspur Allotment.
2. Categorical Exclusion NEPA document (DOI-BLM-CA-N070-2009-0005-CX)

cc: Bordwell Family Trust, Kenneth Bordwell (Cert. Mail #7160 3901 9846 0556 1511)  
Todd Degarmo, Chair, Ft. Bidwell Tribal Council (Cert. Mail #7160 3901 9846 0556 1610)  
Cherie Rhoades, Chair, Cedarville Rancheria (Cert. Mail #7160 3901 9846 0556 1603)  
Jim Gifford, USDA, NRCS (Cert. Mail #7160 3901 9846 0556 1597)  
Sean Curtis, Modoc Land Use Committee (Cert. Mail #7160 3901 9846 0556 1580)  
Mr. Rob Mrowka, Center for Biological Diversity (Cert. Mail #7160 3901 9846 0556 1573)  
Roy Leach, Nevada Division of Wildlife (Cert. Mail #7160 3901 9846 0556 1566)  
Richard Shinn, California Department of Fish & Game (Cert. Mail #7160 3901 9846 0556 1559)  
Michael Connor, Western Watersheds Project (Cert. Mail #7160 3901 9846 0556 1542)  
James Eidel, Great Basin Bird Observatory (Cert. Mail #7160 3901 9846 0556 1535)  
Susan Lynn, Nevada Water Network (Cert. Mail #7160 3901 9846 0556 1528)  
Dennis Smith, Modoc Cattlemen's Association (First Class Mail)  
Nancy Huffman, Chair, Northeastern California RAC (First Class Mail)  
Jesse Harris, Nevada Cattlemen's Association, North Washoe Unit (First Class Mail)  
Jim Irvin, Modoc-Washoe Experimental Stewardship Committee (First Class Mail)  
Norvie Enns, CA & NV Rockhounds (First Class Mail)  
NV Clearinghouse (email)





# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Surprise Field Office  
PO Box 460  
Cedarville, CA 96104  
[www.ca.blm.gov/surprise](http://www.ca.blm.gov/surprise)



In Reply Refer To:  
4160 (CA-370) P

March 17, 2009

CERTIFIED MAIL: # 7160 3901 9846 0556 1511  
Return Receipt Requested

Bordwell Family Trust  
C/o Kenneth Bordwell  
PO Box 264  
Cedarville, CA 96104

Dear Mr. Bordwell:

Enclosed you will find the Notice of Field Manager's Proposed Decision Grazing Permit Issuance for the South Larkspur Allotment. The Categorical Exclusion NEPA document (DOI-BLM-CA-N070-2009-0005-CX) pertaining to the Proposed Decisions is also enclosed.

Sincerely,

Shane DeForest,  
Surprise Field Manager

Enclosures:

1. Notice of Field Manager's Proposed Decision Grazing Permit Issuance for the South Larkspur Allotment
2. Categorical Exclusion NEPA document (DOI-BLM-CA-N070-2009-0005-CX)

cc: Todd Degarmo, Chair, Ft. Bidwell Tribal Council (Cert. Mail #7160 3901 9846 0556 1610)  
Cherie Rhoades, Chair, Cedarville Rancheria (Cert. Mail #7160 3901 9846 0556 1603)  
Jim Gifford, USDA, NRCS (Cert. Mail #7160 3901 9846 0556 1597)  
Sean Curtis, Modoc Land Use Committee (Cert. Mail #7160 3901 9846 0556 1580)  
Mr. Rob Mrowka, Center for Biological Diversity (Cert. Mail #7160 3901 9846 0556 1573)  
Roy Leach, Nevada Division of Wildlife (Cert. Mail #7160 3901 9846 0556 1566)  
Richard Shinn, California Department of Fish & Game (Cert. Mail #7160 3901 9846 0556 1559)  
Michael Connor, Western Watersheds Project (Cert. Mail #7160 3901 9846 0556 1542)  
James Eidel, Great Basin Bird Observatory (Cert. Mail #7160 3901 9846 0556 1535)  
Susan Lynn, Nevada Water Network (Cert. Mail #7160 3901 9846 0556 1528)  
Dennis Smith, Modoc Cattlemen's Association (First Class Mail)  
Nancy Huffman, Chair, Northeastern California RAC (First Class Mail)  
Jesse Harris, Nevada Cattlemen's Association, North Washoe Unit (First Class Mail)  
Jim Irvin, Modoc-Washoe Experimental Stewardship Committee (First Class Mail)  
Norvie Enns, CA & NV Rockhounds (First Class Mail)  
NV Clearinghouse (email)



Todd Degarmo, Chair 3/23  
Ft. Bidwell Tribal Council  
PO Box 129  
Fort Bidwell, CA 96112

Dennis Smith  
Modoc Cattlemen's Association  
PO Box E  
Cedarville, CA 96104

Cherie Rhoades 3/19  
Chair, Cedarville Rancheria  
200 South Howard St.  
Alturas, CA 96101

Mr. James Eidel  
Great Basin Bird Observatory  
4150 Meadow Wood Rd.  
Carson City, NV 89703-9459

Jim Gifford 3/19  
USDA, NRCS  
1702 County Road Suite 1A  
Minden, NV 89423

Roy Leach 3/19  
Nevada Division of Wildlife  
380 West B Street  
Fallon, NV 89406

Nancy Huffman, Chair  
Northeast California RAC  
405 County Road 123  
Tulelake, CA 96134

Bordwell Family Trust 3/25  
Ken Bordwell  
PO Box 264  
Cedarville, CA 96104

Sean Curtis 3/19  
Modoc Land Use Committee  
PO Box 1692  
Alturas, CA 96101

Norvie Enns  
CA & NV Rockhounds  
1485 W 4<sup>th</sup> St. #10  
Reno, NV 89503-5002

Nevada State Clearinghouse  
Division of Administration  
Capitol Complex  
Carson City, NV 89702

Susan Lynn 3/20  
Nevada Water Network  
1755 E Plumb Lane  
Reno, NV 89502-3683

Mr. Rob Mrowka, 3/26  
Center for Biological Diversity  
4261 Lily Glen CT  
North Las Vegas, NV 89032-3099

Dr. Michael J. Conner 3/23  
Western Watershed Project  
PO Box 2364  
Reseda, CA 91337-2364

Jesse Harris  
Nevada Cattlemen's Association  
North Washoe Unit  
PO Box 222  
Eagleville, Ca 96110

Jim Irvin  
Modoc /Washoe ESP  
PO Box 220  
Cedarville, CA 96104

Richard Shinn 3/23  
California Department of Fish & Game  
P. O. Box 1244  
Alturas, CA 96101